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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,754	07/23/2003	Steven M. Leventer	JAN-027 CON	8132

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05/24/2005

Vela Pharmaceuticals
3528 Old Baptist Rd.
Collegeville, PA 19426

EXAMINER

HENLEY III, RAYMOND J

ART UNIT PAPER NUMBER

1614

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

05132005

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Commissioner for Patents

SUPPLEMENT TO ADVISORY ACTION

This communication is supplemental to the Advisory Action dated May 12, 2005. On the first page of the "Attachment to Advisory Action", the following informality should have also been set forth: the specification is objected to as failing to provide proper antecedent basis for the claimed subject matter of claim 32. In particular, "less than 30 mg/kg" is not set forth in the specification and an appropriate amendment to the specification should be made as per 37 CFR 1.75(d)(1).

In a communication filed July 23, 2003, the specification at page 19, Table 2 was pointed to as support for "less than 30 mg/kg". The Table, however, only shows a particular dosage of 15.1 mg/kg. The concept of a dosage range having 30 mg/kg as an upper limit is not in the Table. A new matter issue is not raised by the amendment because the paper which introduced "less than 30 mg/kg" was filed at the same time as the specification. An amendment to the specification inserting this dosage range is, however, proper under 37 CFR 1.75(d)(1) as noted above.


Raymond J Henley III
Primary Examiner
Art Unit: 1614